

REMARKS

It is respectfully requested that this application be reconsidered in view of the following remarks and that all of the claims remaining be allowed.

In the Office Action, the Examiner states that the application contains claims directed to three patentably distinct species of the claimed inventions, namely DNA molecules encoding FGF analogs including:

1. substitutions of amino acids 128-138;
2. deletions of the amino terminus spanning residues 1 to 24; and
3. combinations of substitutions and deletions.

The Office Action requires the election of a single disclosed molecular species having a single amino acid sequence rather than a subgenus.

In response, Applicants elect K128S, as disclosed on page 58 of the specification (in Table 3). K128S is an FGF analog in which the lysine at position 128 has been substituted by a serine. K128S belongs to species 1 above, substitutions of amino acids 128-138, and reads on claims 1-7.


Should the Examiner have any questions, a telephone call to the undersigned attorney for the Applicants would be appreciated.

Early examination of this application on the merits is earnestly solicited.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: _____


Ping F. Hwung
Registration No. 44,164
Attorney for Applicants
Redwood Shores, CA Office
(650) 622-2300

Post Office Box 140
Alexandria, Virginia 22313-1404

Date: September 11, 2003